

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEREMY HANNAFORD,

Plaintiff,

v.

JAE U KIM,

Defendant.

CASE NO. 2:23-cv-00192-TMC

ORDER TO SHOW CAUSE

This matter comes before the Court on review of the court record.

On September 5, 2023, the Court issued a Minute Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement. Dkt. 10. That order directed the parties to file a Combined Joint Status Report and Discovery Plan no later than December 4, 2023, pursuant to Fed. R. Civ. P. 16 and Local Rules W.D. Wash. LCR 16(a). *Id.* It directed Plaintiff's counsel to serve copies of the minute order on all parties who appeared after the order was filed and instructed that Plaintiff's counsel would be responsible for starting the communications needed to comply with the minute order. *Id.* On December 15, 2023, the Court issued a Notice to Parties providing a reminder that the December 4 deadline had passed and that failure to comply promptly could result in dismissal. Dkt. 11.

1 A Combined Joint Status Report and Discovery Plan has not been filed in this case, nor
2 have the parties requested an additional extension of time to comply with the court's order.

3 Fed. R. Civ. P. 16(f)(1) provides that the court, on motion or on its own, may issue "any
4 just orders including those authorized by Fed. R. Civ. P. 37(b)(2)(A)(ii)-(vii)" if a party "fails to
5 obey a scheduling or other pretrial order." Under Fed. R. Civ. P. 37(b)(2)(A)(v), the court may
6 dismiss an action or proceeding in whole or in part for failure to obey a court order. It is Plaintiff's
7 responsibility to initiate communications needed to comply with the court's orders requiring a
8 Combined Joint Status Report and Discovery Plan, and he has not shown that he has done so.
9 Accordingly, counsel for Plaintiff should show cause, if any they have, why this case should not
10 be dismissed without prejudice under Fed. R. Civ. P. 16(f)(1) and 37(b)(2)(A)(v).

11 Therefore, it is hereby ORDERED that:

- 12 • No later than January 10, 2024 counsel for Plaintiff shall show cause in
13 writing why this case should not be dismissed without prejudice for failure to
14 comply with Fed. R. Civ. P. 16 and Local Fed. R. Civ. P. 16(a).

15 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
16 to any party appearing pro se at said party's last known address.

17 Dated this 27th day of December, 2023.

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20 Tiffany M. Cartwright
21 United States District Court Judge
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